

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
MEDFORD DIVISION

MICHAEL MOSS, et al.,

Case No. 1:06-CV-03045-CL

Plaintiffs,

v.

ORDER

UNITED STATE SECRET SERVICE of
the Department of Homeland Security, et al.,

Defendants.

CLARKE, Magistrate Judge

This case comes before the Court on a Motion for Entry of Judgment (#257) by the State defendants, as well as a motion (#259) by the Federal defendants to amend the Court's Order of Dismissal (#255) and to enter final judgment in their favor.

When an action presents multiple claims or multiple parties, a court may direct entry of a final judgment as to one or more, but fewer than all, of those claims or parties "only if the court expressly determines that there is no just reason for delay." Fed. R. Civ. P. 54(b). Plaintiffs argue that entry of final judgment would force them to pursue any appeals of the district court's previous ruling while continuing to litigate the live claims at the same time. Dispositive motions

on the remaining live claims are due within the next few months, and it is likely that this case will be fully resolved in the next year. Due to the complexity of this case and the long history of interlocutory appeals spanning nearly nine years, the Court finds that the Federal and State defendants will not be prejudiced by the delay of final judgment, and the Court finds that there is just reason for such delay.

Therefore, the defendants' motions (#257, #259) are denied. The Court also declines to amend the Order of Dismissal (#255) at this time. Federal defendants also filed two motions to dismiss a cross claim by the Jackson County defendants. The County has filed a notice of voluntary dismissal of that cross claim (#280). The Court accepts the voluntary dismissal, and therefore the motions to dismiss (#269, #275) are denied as moot.

IT IS SO ORDERED.

DATED this 30 day of March, 2015.



MARK D. CLARKE
United States Magistrate Judge